



**GETTYSBURG BOROUGH STORM WATER AUTHORITY
TROXELL COUNCIL CHAMBERS
59 E. HIGH STREET, GETTYSBURG, PA 17325
(GBSWA) MARCH 13, 2023 MEETING MINUTES**

PRESENT: Members of the Board: Chair Michael S. Malewicki, Vice-Chair and Councilor John D. Lawver, Secretary and Councilor Wesley K. Heyser, Member Patrick L. Naugle; **GBSWA Officials:** Charles R. Gable, Administrative Manager; Solicitor Adam D. Boyer, Barley Snyder; Borough Engineer Chad M. Clabaugh, C.S. Davidson; **Borough Staff Present:** Public Works Director Robert Harbaugh; **Members of the Public:** Filming by Mark Wherley, *Community Media-ACCTV*. **Absent:** Member Charles Strauss, Director of Historic and Environmental Preservation Debra English; and Recording Secretary Karen Mesher.

GBSWA – Call to Order

Mike Malewicki called the meeting to order with one announcement being the Culps Run Presentation sponsored by the Watershed Alliance Group, which he said was well attended and thanked Pat Naugle for organizing this event. Mr. Naugle said that he had received a lot of positive feedback from attendees. At this time Chair Malewicki turned the meeting over to Solicitor Boyer who called the meeting to order at 5:35 PM on March 13, 2023.

Solicitor Boyer noted that this was the first meeting of the year, and both the January and February meetings were cancelled. Member John Lawver has been reappointed for a 5-year term.

Reorganization

Solicitor Boyer opened the floor for nominations for GBSWA Chair for Calendar Year 2023 (CY2023). Mr. Heyser nominated Mike S. Malewicki as Chair and was seconded by Pat Naugle. There being no other nominations, Solicitor Boyer closed the nominations and called for a vote. The **motion** to re-elect Mike S. Malewicki as GBSWA Chair carried **3-to-0** (Mr. Malewicki did not vote pending his reappointment to GBSWA by Borough Council).

Solicitor Boyer turned the meeting over to Chair Malewicki, and he opened the floor for nominations for GBSWA Vice-Chair for the Calendar Year 2023 (CY2023). Mr. Heyser nominated John D. Lawver as Vice-Chair and seconded by Mr. Malewicki. There being no other nominations, Chair Malewicki closed the nominations and called for a vote. The **motion** to re-elect John D. Lawver as GBSWA Vice-Chair carried **4-to-0**.

Chair Malewicki opened the floor for nominations for GBSWA Secretary for the Calendar Year 2023 (CY2023). Vice-Chair Lawver nominated Wesley K. Heyser as GBSWA Secretary and seconded by Mr. Malewicki. There being no other nominations, Chair Malewicki closed the nominations and called for a vote. The **motion** to re-elect Wesley K. Heyser as GBSWA Secretary carried **4-to-0**.

Chair Malewicki called for a motion to make the following appointments: Adam D. Boyer as GBSWA Solicitor, C.S. Davidson as GBSWA Engineers, Charles R. Gable as GBSWA Administrative Manager, Sara L. Stull as GBSWA Right-to-Know Officer, Karen Mesher as GBSWA Recording Secretary, Debra English as GBSWA MS4 Coordinator, Tammy Murdorf as GBSWA Accountant. Mr. Lawver **moved** to approve the 2023 GBSWA appointments and seconded by Secretary Heyser. The motion carried **4-to-0** (Mr. Malewicki did not vote).

Chair Malewicki called for a motion to hold the 2023 monthly business meetings of the GBSWA on the second Tuesday of every month at 5:30PM prevailing time in the Gettysburg Municipal Building, and to authorize the

Borough Secretary to authorize the same in the *Gettysburg Times*: Monday, February 13, 2023; Monday, March 13, 2023; Monday, April 10, 2023; Monday, May 8, 2023; Monday, June 12, 2023; Monday, July 10, 2023; Monday, August 14, 2023; Monday, September 11, 2023; Tuesday, October 9, 2023; Monday, November 13, 2023; and December 11, 2023. Secretary Heyser **moved** to set the monthly 2023 Business Meeting dates as stated and was seconded by Vice-Chair Lawver. The motion carried **4-to-0**.

Chair Malewicki called for the closure of the GBSWA Reorganization Meeting and to open the March 13, 2023 GBSWA Business Meeting. Secretary Heyser made the **motion** to close the GBSWA Reorganization Meeting and to open the March 13, 2023 GBSWA Business Meeting and was seconded by Member Naugle. The motion carried **4-to-0** at 5:44 PM.

Welcome and Opening Remarks

Chair Malewicki welcomed everyone to tonight's meeting of the Authority and announced that a quorum of four members was present and said that there were no opening remarks at this time.

Announcements

There were no announcements at this time.

Approval of Agenda, Minutes, Bills

Vice-Chair Lawver requested a motion to accept the March 13, 2023 GBSWA Meeting Agenda as presented. Secretary Heyser made the **motion** to accept the GBSWA March 13, 2023 Meeting Agenda as presented and was seconded by Member Strauss. The motion carried **4-to-0**.

Vice-Chair Lawver requested a motion to accept the December 12, 2022 GBSWA Meeting Minutes as submitted (January and February GBSWA Meetings were cancelled). Secretary Heyser made the **motion** to accept the December 12, 2022 GBSWA Meeting Minutes as submitted and was seconded by Member Naugle. The motion carried **4-to-0**.

Vice-Chair Lawver made the **motion** to approve all bills and payroll as presented and was seconded by Secretary Heyser. The motion carried **4-to-0**.

Public Comment for Items on the Meeting Agenda

There was no public comment at this time.

Current and Old Business

A. Financial Update

- **Revenue / Expense Report YTD (2022) – Charles Gable**
Administrative Manager Gable updated the Authority on the GBSWA collective revenue for the year 2022 as presented in his report to the Board. He noted that there was a \$160,500 deficit due to the NFWF 500K grant not being funded and the substantial costs of the Culps Run Stream Project; and there was \$355,000 cash basis in GBSWA account for the year ending 2022 as of last week.
- **Payments/Liens - English**
Payments: Director English provided the Board with an update prior to the meeting as she was not in attendance, stating that there was \$515,250 billed through 1884 invoices sent in 2022.

Liens: 2019 - \$528,050 billed - 45 liens filed, 17 outstanding; 2020 - \$514,350 billed - 41 liens filed, 16 outstanding; 2021 - \$513,900 billed – 42 Liens filed, 26 outstanding; 2022 - \$512,250 billed - 33 unpaid after deadline; several payments came in which avoided liens. Liens filed on February 22, 2023 had 24 Pending payment to date.

- **Liens Filed – Boyer**

Mr. Boyer noted 33 parcels were pulled for liens, however, only 26 were filed due to incorrect addresses and address changes; and they have been re-notified. Those parcels will receive liens if not paid within 30 days. Most unpaid liens are being paid through the sales of those properties. Settlement companies call Director English to get pay-off amounts and will pay for all lien years for that parcel. Recently two parcels with three years of liens were paid in full. GBSWA will be collecting interest on these outstanding liens for the 2022 fee cycle in the amount of six-percent annually which is the same rate as the judgements rates; and interest fees could be collected up to ten percent. There are about five repeat offenders but stated that the number of liens filed are reducing each year.

- **Grant Application Update – Clabaugh**

There are two grant applications pending: a large H2O Grant over \$500K for the Chambersburg Street Inner Loop Phase B Project expecting a notice for the grant determination in July. This is a fifty-percent grant match in the amount of \$900K. The Small H2O Grant for under \$500K for the Restoration to the channel wall & Bream Alley (which did not quite fit the H2O grant requirement) was a better fit with the Flood Mitigation Grant and our application was transferred to this grant application with minimal updates of the data required. She said that hopefully the notice of grant acceptance will be determined by July 2023.

B. Culps Run Maintenance Agreement – Clabaugh

- Engineer Clabaugh said that the maintenance portion of the project as required through DEP will need after care. The few items that were changed in the Land Studies contract will allow annual updates to the contract versus the five-year term of the maintenance agreement which will be renewed annually through 2027. There is a provision in the contract that will allow for termination within thirty days' notice of cancellation. Other items that were modified include reducing the number of inspections from six to four per year. The first inspection by Land Studies is scheduled for late April. Land Studies will provide the GBSWA and NPS of their schedule of inspections. Land Studies will provide two reporting inspections per year for the first year and will spot treat invasives approximately four times per year monitoring any washout/erosion issues throughout. Those repairs will be billed on an independent basis outside of this contract. The mowing portion was removed from the contract and will most likely be performed by NPS which will reduce the contract amount from \$20K to \$13,200.00.

Chairman Malewicki asked for a motion to approve the contract with Land Studies dated January 4, 2023 in the amount of \$13,200.00 for the Culps Run yearly maintenance monitoring. Secretary Heyser made the **motion** to accept Land Studies Maintenance Agreement and cost as presented, and it was seconded by Chair Malewicki. The motion carried **4-to 0** without dissention.

C. Mayor Alley Stream Restorations – Clabaugh

- Engineer Clabaugh said that they plan to take a different path with this project, and that the big sycamore tree needs to come down because of decay. He said that the ownership and responsibility of the tree removal will be a big question. The cost estimate for the removal of the tree is between \$4000-\$5,000. The tree is located outside of the Borough's Right-of-Way (ROW) and is located on private property. GBSWA will meet with GMA to discuss scope of work and scheduling of GMA with wall repair. A field meeting will be scheduled and this topic with a GMA representative will be placed on the GBSWA

April Meeting agenda. The larger expense of this repair will be the support wall and associated roadwork above the repair which could amount to \$50,000.00. There is grant funding that may help but may not fit within the time frame needed by GMA to work and repair the wall.

D. Stevens Run Wall Research – *Malewicki*

- Chair Malewicki said he has found some very interesting ordinance regulations while doing his research in the hand written documents from 1806, as well as finding the original name of the Stevens Run. He said that he found through his research that it was originally named Gettys Run. He is now reviewing minutes from the 1990s and should be done reviewing these documents in the next few months; and said that he will provide a report of this findings to GBSWA.

New Business

A. Bream Alley Discussion – *Malewicki and Clabaugh*

- Mr. Clabaugh presented a few photos of the failures and noted most of the mortar within the wall is gone thus causing the collapse. There is a section with old clay pipes that have been crushed and no longer functioning. The wall is bulging and collapsing in many areas and a project of this magnitude could cost between the \$200-300K. This repair should be scheduled with the GMA Interceptor Project so one project does not disrupt the other. GBSWA will set up a meeting to discuss the scope and project scheduling as well as a site meeting to determine the scope of work. Engineer Clabaugh will look into the H2O grant funding as well and work on the MOU agreement to present to GMA to clarify scope and scheduling once GBSWA meets with GMA.

Public Comment for Items Not on the Agenda

There was no public comment at this time.

Adjournment

Chair Malewicki requested a motion to adjourn. **Motion** was made by Vice-Chair Lawver, **seconded** by Secretary Heyser, and passed **4-to-0**. Meeting adjourned at 6:37 PM.

Respectfully submitted by:

Debra English, Director of Historic and Environmental Preservation
C/O Karen Mesher, Planning Management Assistant and GBSWA Recording Secretary